Can We Provide Arguments for the Moral Rules?

Tibor R. Machan

JSCOPE '94   27 January 1994

Whether we can provide arguments for moral rules or principles or, to put it differently, establish that human beings ought to practice certain virtues in their lives, has, of course, been the source of major philosophical disputation throughout recorded history. Not only has it been argued by many, especially since the onset of the modern era, that morality is a myth, a pre-scientific idea akin to witchcraft or astrology, but it has also been contended by many for much longer that what ethical principles, virtues or rules are binding on people is subjective or relative or ultimately unjustifiable. The claim has been advanced, by no less an influential philosopher than John Rawls (in his presidential address to the American Philosophical Association in December 1974), that morality does not require any theorizing at all but needs merely an intuitive base and, perhaps, some analysis of moral conceptions. As he put it, "a relation of methodological priority does not hold, I believe, between the theory of meaning, epistemology, and the philosophy of mind on the one hand and moral philosophy on the other."[1]

Others have argued that there are good pragmatic reasons to accept the myth of absolute morality. But even this idea has come under attack recently, from Mark Douglas Mercer of Simon Fraser University. He writes that "illiberal attitudes, *Realpolitik*, nihilism and quietism. . . are more likely to be fed by attempts to foster belief in traditional philosophical and theological ideas about value and justification than they are to be quelled by them."[2]

It seems then that not only do many doubt the relevance of morality to human life, not only do many deny that there can be any firm, stable, objectively ascertainable moral standards for us, not only is it contended that moral theorizing itself is unhelpful

to an understanding of moral matters, but there is now grave doubt about the merits of such morality even if it could be established.

There is, however, reason to have more hope in this area than these thinkers would propose. Even though we do find much disagreement in ethics, a good deal of it is due to differences of circumstances where moral principles or concepts need to be applied. Some of it is due to the influence of bad people who do not want clarity to prevail in this area of human concern, lest they be found out. Some of the trouble arises from what professional devil's advocates, mainly philosophers, contribute to the discussion—often with good intentions (such as caution and opposition to dogmatism).

As to the point about their being no need for theory, this too stems from a misunderstanding. Moral theories are not always needed and most of us live without them quite successfully. Common sense morality is quite adequate in most normal situations. In stress cases, however, the need for theory cannot reasonably be denied. Here our common sense moral ideas—principles, virtues, convictions—come into conflict and we need to find some sensible hierarchy by which we can navigate difficult moral problems. (This is what is so well illustrated by good drama, as well as by the various dramatic events that make for heroes or villains in human affairs, such as the Watergate or Iran-Contra affairs.)[3] The point advanced by Rawls—with exasperation about the slow progress in those branches of philosophy thought to handle problems in the foundations of morality—is also unjustified. However frustrating it might be, matters underlying our deepest concerns cannot be avoided in the name of haste or urgency. Any such effort will result only in distorted ideas in the area of concern that we are trying to make available for ready application.[4] Of course morality, unlike other disciplines, does not lend itself to smooth management, since we are here dealing with our very own character, what makes us good or bad people, what makes what we do right or wrong. The sciences, for example, tend not to be so directly self-referential, although even there controversies begin to bloom when complex issues

arise—which is why such philosophers as Paul Feyerabend can make a career of denying that science is objective.[5]

I plan to argue that, contrary to all these positions, morality, including theorizing about it, is indispensable for human life—we cannot do without it and when we try to are merely subverting or corrupting it, never really eliminating it. By considering why it is indispensable, we will get our first clue as to how we can establish what the moral principles are by which we ought to live. At the same time, however, I will also argue that the moral principles that may be established are far from the whole story as to what the moral life requires. In the last analysis the moral life requires the initiative of the moral agent to address himself or herself to the task of applying moral principles within the appropriate context of his or her life. It is this fact, incidentally, that seems to lead so many people to give up on the prospect of firm moral standards, namely, that no matter what standards we identify, they need to be treated contextually. This makes it appear that there is an irreducible element of sub-jectivity in ethical conduct. Yet what is deemed by many to be this subjective element is, in fact, nothing more than the different conclusions reached by human beings who live by moral standards when they factor in their individual circumstances.[6]

Why is morality necessary? The most straightforward answer is that human beings are free agents, with the capacity to initiate or fail to initiate their significant conduct, and they are also living beings with a specific nature that will most likely flourish when conducted one way and perish if conduct other ways. But do human beings have such a nature, actually?

As with nearly every subsidiary question in this inquiry, reams of words have been written on the topic and my own contribution here will be very sketchy. My quite unoriginal idea is that our capacity to initiate our conduct is well demonstrated by the fact that we are creative, productive beings, unlike other living entities throughout nature. And we do things badly—even if you only count what you consider mistaken

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thinking about, say, this very topic. No sense can be made of the idea that one person is right, the other wrong, if there is no way to account for having failed or succeeded in doing the right thing. Anyone, for example, who would attempt to argue against my own views and then try to explain them will need to invoke, at some point, the idea that I did something wrong, not as I ought to have done it; e.g., I have reasoned badly, not noticed some fact I should have, and so on. But all such talk presupposes choice, the capacity to initiate or fail to initiate some process, if only the process of thinking carefully.

What about the other point, namely, one that deals with our having a specific nature that may flourish when we live in certain ways or perish when we do not? Is this defensible? It seems to be so not only from paying heed to human life itself, including all the fuss about parenting, teaching, public policy, international affairs, etc., but also from paying heed to the lives of other living beings on earth. They, too, can do well or badly at living, albeit in their case it is not deemed to be to their credit or demerit if they succeed or fail. Nonetheless, all other living beings can do well or badly at living—botanists, zoologists, biologists, physiologists, physicians, psychologists and the rest will testify to this readily enough. If one fails (be it because of foreign causes, accidents, or lack of care, as is the case with human beings only too often) to live in line with what one's nature requires, one does badly at living. Indeed, that is what "bad" and "good" mean in their primary senses. Environmentalists are constantly complaining about how badly some plant or animal is doing, and the terms signify exactly the fact that their lives are endangered, threatened, injured. Doing well, in turn, means just the opposite.

As is evident from how I am proceeding here, I am attempting to lay out a secular, naturalistic defense of ethics. One reason I believe this is vital is that any ethics that ultimately rests on faith is simply not available for public exploration, discussion, demonstration, and criticism. Faith, resting as it does on an act of pure

will or commitment independently of any scientific or ordinary study of facts, is personal, private, incommunicable. The God of any religion is, in the last analysis, incomprehensible by means that human beings use to comprehend nearly everything else in their lives that is important to them. So faith does not offer much promise for the resolution of puzzles that face our concrete lives.

Ethics, however, is just such a concrete puzzle. How should I live my life as a human being? That is the question that gives rise to ethics. Ethics is the discipline in which different proposed answers to this question are considered, examined and elaborated. And what we are asking here is whether any one of these answers might be sound, the right answer (as right as answers in this discipline can be expected to be).

What is a human being? The nature of human beings consists of their being animals with the unique capacity to think and be guided by their thinking in the conduct of their lives. It is, therefore, fair to say that a good human being is one who is guided by thinking in how he or she lives life. We are, as Aristotle observed, rational animals. This does not mean that we are nothing but rational beings, or that our other capacities or attributes are not important—indeed, being that we are animals as well as rational, it is part of our nature to have animal characteristics. Some of these are more complex than when found in other animals; for example, while a dog may be scared, human beings will also dread, fear, be anxiety ridden, etc. We may suppose that the complex human capacity to dread something is somewhere on a continuum from the most simple to the most complex of a type of emotion that animals are able to experience. And even with thinking, there is probably something to the claim bandied about a lot these days that animals can think a bit, at least after they have been prodded by human beings to do so. Why should they not, or at least, why shouldn't some of them if they are some steps away from human beings on the evolutionary ladder?

When it comes to what makes human beings human beings, and not orangutans or chimps, it is that they are animals with the higher mental function of reasoning, a

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function that creates immense possibilities, prospects, as well as dangers for them all. As with any judgment of good or bad, it depends on what the thing is whether some specific instance of it is a good one or a bad one. If one wants to get good tomatoes, one needs to know what tomatoes are; to judge a game of tennis as either a good or a bad one, it is vital to know about tennis.

I suggest, then, that the best sense to be made of "good" and "bad" is by way of this analysis. If the nature of something involves some kind of function, such as a hammer or a car, then we would judge it good or bad in relation to how well it is being fulfilled in the case at hand. If it does not involve a function but some other factors, those factors will come into play on such occasions.

When we consider human nature, its function is the sound exercise of reasoning capacity. One could be a parasite and rely on the thinking of other persons, but one would be other than whole living in this way and taxing someone else. This can only be quite unreliable (at least once one reaches adulthood, unless one has a mighty strong lobby in Washington, and even then it only lasts so long).

Now, since the process of thinking must be initiated and sustained by the thinking agent, the goodness attendant to thinking becomes a praiseworthy or moral goodness rather than one that simply occurs do to the circumstances impinging upon the person involved. Let me illuminate my thesis by the following illustration.

Assume a huge circle that represents all of existence. Assume a smaller circle within this huge one that represents all of living existence. And now assume an even smaller circle that represents human existence. The thesis here includes the idea that outside the second circle everything is value-free, unrelated to good or bad. This is why early natural science could advocate the Wertfrei method—it was studying aspects of reality that did not relate to values. A star or a rock or a drop of water does not involve either good or bad things; such aspects of reality are inanimate and their conditions are neither good nor bad for them. When we move into the second circle,

we find that the ideas of good and bad emerge, since what we are concerned to learn about here are living beings that can flourish or perish. The conditions enhancing flourishing are good for the living, those enhancing perishing are bad. But at this point the bad and the good *just happen* to things[7] and when a wolf or cheetah meets with mishap, it's bad but no one's fault (unless human beings are implicated). The last circle, of course, still involves life but now a life that is self-directed, capable of bringing about its own good or bad state, self-enhancing or self-defeating. Here is where morality or ethics emerge.

I will bite the bullet if someone claims that I am defending a form of egoism, what I call classical egoism, *the ethics of perfecting oneself as a human being*. The idea is that we ought all to live well our lives *as the kind of beings* we are, human and therefore thoroughly but not exclusively social. Now we can begin to ask what specific moral principles, rules or virtues may be identified based on these results.

First of all, the fundamental principle of morality is nothing other than thoughtfulness, in the sense that living intelligently, prudently, sensibly and so forth. If one does not think about living, one will not live as well as one could, indeed one will often perish. But the thinking involved is not some kind of narrow focus, say, on mathematics or business or art, to the exclusion of all other considerations attendant to one's individual human life. Some of the worst people in human history have been "thoughtful" or bright or even brilliant in this narrow sense. They have failed to address life in its full multidimensional fashion and once this failure became evident to them, have tried to use their intelligence to cover it up, to cheat it, as it were.

So what follows from the imperative of thoughtfulness? The common sense virtues of most ethical systems follow, only with perhaps a distinct ordering of the different virtues. Thus a rational life should be lived *prudently*, *honestly*, *courageously*, *justly*, *industriously*, *generously*, *temperately*, *moderately*, and so forth. Why? Because living thus will make for the most successful human life one could

aspire to. Why? Because that is what is in accord with one's human nature as a rational animal.

Of course, prudence in the case of one person, living in sub-Saharan Africa or Siberia will be very different from prudence in the case of someone living in New York City or at the United States Military Academy in West Point, New York. Honesty by way of the communication media of 1200th century BC. will differ considerably from honesty on E-Mail or modems or telephone answering machines. The same with industriousness and the other virtues, which explains why moral judgments are not simple to make unless one knows the situation in considerable detail. (The law, which is an aspect of morality as applied to political organization, testifies to this when a trial examines evidence, witnesses, testimony, recollections, etc. with great meticulousness in order to assign or deny guilt.)

Ethical theories must be stable, universal, general, practicable, mutually compatible to act on, clearly identifiable, and able to achieve specificity. All of this cannot be done at the theoretical level where only the broadest outlines of how human beings ought to act may be identified. But unless these broad outlines manage to deliver, in the individual cases of human conduct, the specificity of good conduct, conduct that enhances human life rather than thwarts it, they are flawed.

It seems to me that we often ask too much of our ethical theories. We want ethics to enable us to live in a way that might be commendable from any perspective, including from the entirely unknown one of a deity. Because of that, we have nearly given up on identifying an ethics that makes good sense and does the work it may be rationally expected to do, namely, help us to live well. The above sketch should at least suggest what might called a worldly ethical theory, one that is sound in terms of what human life requires in this world, one that does not demand the impossible from us nor abandon the effort to answer the question that gives rise to ethics in the first place, namely, "How should I live?"

Let me end by noting how all this may make its impact on professional, specifically military ethics, were it true. A profession is a morally unobjectionable field of work one chooses to embark upon over the long range. It is chosen, in part, because it serves to realize one's talents and fulfills one's productive needs (which can involve medical service, law, education, science, art, or, in this case, the defense of one's country).

The military, apart from the various admiring characterizations of it that nearly all professions, in fact, deserve and are subject to, in part so as to boost morale, is a profession, a morally justified line of work for which some people have the talent and predilection. (Being a hit man or assessing for hire would not be such a profession since it is inherently immoral.) As with ethics in general, so with such a special branch of the field, the standards are mostly those any decent human being would use in any sphere of his or her life. But, for purposes of handling difficult choices, wherein varying common sense virtues can come into conflict, the standards of military ethics must be identified by reference to what is at stake, the nature of the undertaking. The military professional is committed to acting in defense of his or her country against physical aggression from foreigners.[8] It is in one respect a unique field, because it involves preparing for and engaging in exceptional situations, not unlike police work, fire fighting, and some branches of medicine. In other words, the military is an emergency profession and its ethics must heed this fact. (It is for this reason that the organization of the military along lines of chains of command is justified; something that would be less crucial in, say, manufacturing or education.) It is to serve in this sort of profession that one signs up and takes an oath. Thus, swearing to defend, for example, the United States Constitution is promising oneself and others to be governed by that oath and the ethics to which one becomes thus committed.[9]

Of course, in some societies a soldier is expected to do something else, and then he or she has come face to face with ethics. In the United States of America, too, the

soldier is too often asked to do something that either has no bearing on defending the country or actually conflicts with that objective. In such cases one must assess whether one would jeopardize one's sworn purpose more by carrying on or by resigning and attempting to remedy matters. That decision depends on many factors, including the kind of personality, the skills and the opportunities that one possesses.

Perhaps the major controversy generated from the above approach concerns whether a soldier might not owe loyalties above and beyond those involved in taking up his or her profession. Thus, a soldier is also a citizen, often a child and a parent, a friend, etc. Some of these loyalties may be more important than those of one's profession. Arguably, citizenship imposes moral responsibilities that a professional soldier might be tempted to violate but should not. The law of the land of an actual (or even hypothetical) just country would override the rules of military service. Thus a command from a superior officer that required violating the precepts of justice could not be obeyed. (That is how we might understand the lesson of the Nuremberg trials.)

I will not continue to develop these ideas because I have reached the limit of my time and space. What I have advanced above should at least provide a sketch of one way to answer the question, "Can we provide arguments for the moral rules?" and consider how it bears on the special topic of ethics in the military profession.

[1]John Rawls, "The Independence of Moral Theory," *Proceedings and Addresses of the American Philosophical Association*, Vol. XLVII (Newark, DE: American Philosophical Association, 1975), p. 21.

[2]Mark Douglas Mercer, "A Pragmatic Argument Against Ethical Pragmatism," *American Philosophical Quarterly*, Vol. 30 (April 1993), p. 171.

[3]For more on this, see my "Ethics and its Uses," in Tibor R. Machan, *Commerce and Morality* (Totowa, NJ: Rowman and Littlefield, 1988).

[4]See Tibor R. Machan, "Applied Philosophy and Free Will, Some Untoward Results of Independence," *Journal of Applied Philosophy*, Vol. 10 (1993), pp. 59-72. See also Tibor R. Machan, "A Note on Independence," *Philosophical Studies*, Vol. 30 (1976), pp. 419-21.

[5]Paul Feyerabend, *Science in a Free Society* (London, England: NLB, 1978).

[6]In a crucial respect we find the same relationship between science and engineering: The former identifies various laws and principles; the latter applies them in varied circumstances, with highly varied results. Only in science the problem of disagreement does not arise right off, since nearly all those involved tend to share the purpose of learning about reality. In ethics, which bears directly on everyone's character and conduct, there are many who want to obfuscate rather than learn, lest their own bad character or conduct come to light.

[7]Of course, if God exists in the form claimed by most believers, these things do not "just happen" but fit within some purpose or design, which is what makes belief in God such a troublesome matter for many, namely, how He could permit the devastation of an earthquake or fatal disease when these destroy or maim so many morally praiseworthy human beings. It is because of this and similar incongruities that I am not approaching this and other topics in philosophy from a theological perspective. The world does not make much sense to me within such a framework of analysis.

[8]There may be certain non-military emergencies that require military support, mainly because of the military's ready recourse to massive force and the fact that when some person or organization possesses the capacity to lend a hand, this may be proper to do. Yet it would not be proper to do in a way that undermines the original purpose at hand. Thus, a surgeon may owe emergency help to someone in an accident but not if this would take him or her away from an operation he or she has a prior commitment to perform. It is arguable, then, that sending military troops to help out after a hurricane

could be justified as an emergency measure when they have no prior commitments to serve in their professional capacities, but sending them to save the Somalians from starvation would not (since the latter amounts to what we might call "leaving one's post").

[9]It should be evident from how this is phrased here that within the present framework there is no room for conscription. When soldiers are forced to serve, their commitment to the ethics of service does not exist and thus they cannot be expected to obligate themselves to the requirements of such service. Indeed, within this framework service in the armed forces of countries that fail to uphold the principles of the right to individual liberty is problematic and can be justified only when the country is under threat from potentially worse enemies.